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REMARKS

Reconsideration of the present application and entry of the amendment are respectfully requested. Claims 1, 3, 5, 7 to 11, 13 to 17, 19 to 25, 28 to 33 and 35 to 37 are currently pending, and claims 5, 25, 33 and 35 have been amended.

The Office Action mailed April 25, 2003 addressed claims 1, 3, 5, 7 to 11, 13 to 17, 19 to 25, 28 to 33 and 35 to 37. Claims 5, 7 to 9, 11, 25, 33 and 35 were rejected, claims 10, 13, 14, 16, 17, 19 to 22, 28 to 30, 36 and 37 were objected to, and claims 1, 3, 15, 23, 31 and 32 were allowed.

Claims 10 to 13, 14, 16, 17, 19 to 22, 28 to 30, 36 and 37 were objected to by the Examiner as dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 10, 13 and 14, which depend from claim 5, should be allowable because Applicants respectfully submit that claim 5 is allowable (discussed below). Claims 16, 17 and 19 to 22 depend from claim 15, which the Examiner indicated was allowed. Therefore, Applicants respectfully submit that claims 16, 17 and 19 to 22 should also be allowed since they depend from an allowed claim. Claims 25, 33 and 35 were amended to incorporate the limitation of claim 13, which was objected to by the Examiner. Applicants respectfully submit that claims 25, 33 and 35 are therefore allowable. Applicants respectfully submit that claims 28 to 30, which depend from claim 25, and claims 36 and 37, which depend from claim 35, are also allowable. Applicants respectfully request that the Examiner withdraw the objection to claims 10 to 13, 14, 16, 17, 19 to 22, 28 to 30, 36 and 37.

Claims 5, 7 to 9, 11, 33 and 35 were rejected under 35 U.S.C. 102(e) as being anticipated by Yamagishi et al. (US 5,688,595). The Examiner stated that Yamagishi et al. discloses a golf ball having core comprising a structure of at least two layers and a cover comprising an inner and outer cover layer. The Examiner further stated that the core comprises an inner sphere and a surrounding layer wherein the surrounding layer may be a single layer or have a plurality of layers, the inner sphere is made of polybutadiene, a diene containing rubber, and has a diameter of 20 to 39 mm (0.70 to

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1.54 inches). The Examiner further stated that the surrounding layer(s) is made of ionomer resin or a rubber base material like the inner sphere and the entire core has a diameter of 35 to 41 mm (1.38 to 1.61 inches). The Examiner concluded that the inner and outer cover layers are made of ionomer resins and non-ionomer resins alone or in admixture.

Applicants respectfully disagree with the Examiner. Yamagishi et al. discloses a golf ball having an inner and outer core and a multi-layer cover, the outer cover layer has a Shore D hardness of 40 to 60, the inner cover layer has a Shore D hardness of up to 53 and is lower than the outer cover layer. Yamagishi et al. does not disclose a golf ball having a cover layer assembly wherein said cover layer assembly includes at least one of (i) an inner cover layer having a Shore D hardness of 65 or less, said inner cover layer being harder than said outer cover layer, (ii) an inner cover layer having a Shore D hardness of 65 or less and an outer cover layer having a Shore D hardness of 65 or greater, wherein said inner cover layer is softer than said outer cover layer, and (iii) a single outer cover layer having a Shore D hardness of from about 40 to 80. The cover layers of Yamagishi et al. do not meet any of the limitations (i), (ii) or (iii) of Applicants' cover layer assembly. Claims 7 to 9 and 11 depend from claim 5 and are therefore also not anticipated by Yamagishi et al. As previously discussed, claims 33 and 35 were amended to incorporate the limitation of claim 13, which is allowable. Claims 33 and 35 are therefore also not anticipated by Yamagishi et al.

Since, as discussed above, Yamagishi et al. fails to teach each and every element of Applicants' claims, Applicants respectfully submit that Yamagishi et al. does not anticipate Applicants' claims. Applicants respectfully submit that claims 5, 7 to 9, 11, 33 and 35 are not anticipated by Yamagishi et al. and request that the rejection of claims 5, 7 to 9, 11, 33 and 35 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

Claim 25 was rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagishi et al. (US 5,688,595) in view of Wu (US 5,334,673). The Examiner stated that Yamagishi et al. discloses a golf ball having a core comprising a structure of at least two layers and a cover comprising an inner and outer cover layer. The Examiner

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further stated that the core comprises an inner sphere and a surrounding layer wherein the surrounding layer may be a single layer or have a plurality of layers, the inner sphere is made of polybutadiene, a diene containing rubber, and has a diameter of 20 to 39 mm (0.70 to 1.54 inches). The Examiner further stated that the surrounding layer(s) is made of ionomer resin or a rubber base material like the inner sphere and the entire core has a diameter of 35 to 41 mm (1.38 to 1.61 inches). The Examiner further stated that the inner and outer cover layers are made of ionomer resins and non-ionomer resins alone or in admixture. The Examiner further stated that Yamagishi et al. does not explicitly disclose the cover layer comprising polyurethane, but Wu discloses a golf ball cover made of polyurethane, and polyurethane is preferable because it employs the cut resistance and low cost of that of ionomer resins but also provides the click and feel similar to a balata cover which the ionomer resin cannot provide. The Examiner concluded that one having ordinary skill in the art would have found it obvious to create a cover using polyurethane instead of ionomer resin because it provides an additional click and feel characteristic which the ionomer resin cannot provide.

As discussed above, claim 25 was amended to incorporate the limitation of claim 13, which was objected to by the Examiner but was indicated as allowable, therefore, Applicants respectfully submit that claim 25 is also allowable.

For at least these reasons, Applicants respectfully submit that claim 25 is not obvious under 35 U.S.C. § 103(a) over Yamagishi et al. in view of Wu. Applicants therefore respectfully request that the rejection of claim 25 under 35 U.S.C. § 103(a) as obvious over Yamagishi et al. in view of Wu be reconsidered and withdrawn.

The Examiner is invited to telephone Applicants' attorney if it is deemed that a telephone conversation will hasten prosecution of the application.

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CONCLUSION

Applicants respectfully request reconsideration and allowance of each of the presently rejected claims, claims 1, 3, 5, 7 to 11, 13 to 17, 19 to 25, 28 to 33 and 35 to 37. Applicants respectfully request allowance of claims 1, 3, 5, 7 to 11, 13 to 17, 19 to 25, 28 to 33 and 35 to 37, the claims currently pending.

Respectfully submitted,

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